

C. DUKES SCOTT
EXECUTIVE DIRECTOR

1401 Main Street, Suite 900
Columbia, SC 29201



DAN E. ARNETT
CHIEF OF STAFF

Phone: (803) 737-0800
Fax: (803) 737-0801

nsedwar@regstaff.sc.gov

Nanette S. Edwards
Chief Counsel and Director of Legal Services

October 1, 2009

VIA E-FILING

Charles L.A. Terreni, Esquire
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Re: Request of Image Access, Inc. d/b/a Newphone for Flexible Regulatory Treatment and for Expedited Review of Request
Docket No. 2009-361-C

Dear Mr. Terreni:

The South Carolina Office of Regulatory Staff ("ORS") has reviewed the request of Image Access, Inc. d/b/a NewPhone ("NewPhone") for Flexible Regulatory Treatment pursuant to S.C. Code Ann. 58-9-575.

NewPhone requests that the Public Service Commission regulate its local exchange service offerings in accordance with the principles and procedures established by Order No. 98-165 in Docket No. 97-467-C. Specifically NewPhone requests the Commission adopt for NewPhone's local exchange services a competitive rate structure incorporating maximum rate levels with the flexibility for rate adjustment below the maximum levels and that its local exchange service tariff maximum and current rate sheet filings be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of such filings.

ORS has reviewed the petition as well as the accompanying tariff and has no objection to the Company's request for flexible regulatory treatment or approval of its tariff.

Sincerely,

Nanette S. Edwards

cc: Jim Dry, Image Access, Inc. d/b/a NewPhone